MUSKEGON COUNTY BOARD OF COMMISSIONERS
FULL BOARD
AGENDA

August 13, 2019 – 3:30 PM
Hall of Justice, 4th Floor
990 Terrace, Muskegon, MI

Susie Hughes, Chair
Gary Foster, Vice-Chair

1) Call to Order
2) Invocation: Pastor Casey Arnouts – Grace Assembly of God
3) Pledge of Allegiance
4) Roll Call
5) Approval of Agenda
6) Approval of the Minutes of July 30, 2019
7) Public Comment (on an agenda item)
8) Communication
   A. Charlevoix County Board of Commissioners: Opposition to the Trial Court Funding Commission Interim Report
   B. Kalkaska County Board of Commissioners: Support of Caro Center in Tuscola County, Michigan
   C. Marquette County Board of Commissioners: Opposition to the Trial Court Funding Commission Interim Report
9) Committee/Board Reports
   A. Courts & Public Safety Committee
   B. Human Services Committee
   C. Ways & Means Committee

Public Comment
Persons may address the Commission during the time set aside for Public Comment or at any time by suspension of the rules. All persons must address the commission and state their name for the record. Comments shall be limited to two (2) minutes for each participant, unless time is extended prior to the public comment period by a vote of a majority of the commission.
10) Chairman's Report/Committee Liaison Reports

A. Muskegon's Water Week – Friday, August 9th – Sunday, August 18th
Muskegon's Lakes

B. Arts & Drafts Festival – Friday, August 17th – Saturday, August 18th – Ross Park

C. Alexander Zonjic & Friends – Thursday, August 22nd – 7:30 PM - The Block

D. Shoreline Jazz Festival – Saturday, August 24th – Sunday, August 25th
Heritage Landing

E. Western Market Sidewalk Celebration – Friday, August 23rd – 11 AM – 6 PM
Western Market Chalets

11) Administrator's Report

- Approval to Authorize County Information Technology Department to Install Video
Recording Equipment and Record All Committee and Full Board Meetings

12) Old Business

13) New Business

14) Public Comment

15) Adjournment

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Board Work Session
Tues., August 13th – 2:00 PM
HOJ - 4th Floor, Board Room
Muskegon County Board Rules
(Public Welcome to Attend)
JULY 24, 2019

TRIAL COURT FUNDING COMMISSION INTERIM REPORT

RESOLUTION

WHEREAS, the County Clerks in Michigan have a constitutional stake in the trial court funding question but were excluded from participation in the Trial Court Funding Commission. The County Clerks have a unique relationship with the courts and a perspective that should be heard when making recommendations for substantial changes.

WHEREAS, the goal of Public Act 65 of 2017 was to create a Trial Court Funding Commission to "review and recommend changes to the trial court funding system in light of People v. Cunningham".

WHEREAS, the vast majority of the Interim Report deals with the consolidation of all local court staff and operations under state control but does not solve the funding problems that Cunningham created (simply moving collections of fines and costs and payment of court salaries/benefits to the state does not mitigate the fact that we will still not be funded adequately).

WHEREAS, centralized control of our court process does not necessarily serve the best interest of the public. The County Clerks believe that local judges and citizens are better served by local custodial control. It has been proven to be a more responsive method of serving their needs.

WHEREAS, research of other state-funded court systems has shown that state funding creates a culture of complacency that tolerates delay. Accountability is removed from the local level and placed in the hands of bureaucrats in state government who are less connected to the people.

WHEREAS, we are concerned that transferring funding to state control would tether the judicial branch to the short-term whims of the legislative and executive branches even more than they exist already. In the event of a lack of state funding (government shutdown) this process would also force the shutdown of the court system, resulting in constitutional violation of due process.

WHEREAS, it is critical to note that the finding of 46th Circuit Trial Court v. County of Crawford, 2006:143 states directly: "In order for the judicial branch to carry out its constitutional responsibilities as envisioned by the Constitution of 1963, art3, SS 2, the judiciary cannot be totally beholden to legislative determinations regarding its budgets."

WHEREAS, this Interim Report recommends altering the Michigan Constitution to provide that circuit court clerks are employed by the court and under the supervision of state government rather than the County Clerk.
WHEREAS, County Clerks serve a critical role in the judicial system. They are constitutionally mandated to ensure the integrity of the records and protecting the best interests of our citizens. Removing County Clerks from the picture would serve as substantial disruption to the purpose that we serve.

NOW, THEREFORE, BE IT RESOLVED, the Charlevoix County Board of Commissioners are opposed to the Trial Court Funding Commission Interim Report dated April 8, 2019. We believe that it is imperative to maintain local control and accountability because that is how our constituents are best served. We strongly oppose this Interim Report and possible pending legislation and encourage the other 82 Michigan counties to join us.

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to Governor Gretchen Whitmer, Senator Wayne Schmidt, Representative Triston Cole, the Michigan Association of Counties and the other 82 Michigan Counties.

Chairman of the Board

Clerk to the Board of Commissioners

CERTIFIED

Cecelia Borths, County Clerk

DEPUTY DATE

July 15, 2019
KALKASKA COUNTY BOARD OF COMMISSIONERS
RESOLUTION NO. 2019-35
SUPPORTING THE CARO CENTER IN TUSCOLA COUNTY MICHIGAN

WHEREAS, during the 1990's, two thirds of the state-operated psychiatric hospitals serving Michigan citizens closed, and from 2005 to 2010 the number of state psychiatric beds in Michigan decreased by nearly 50%; and

WHEREAS, in the absence of needed in-patient treatment and care, individuals in acute or chronic disabling psychiatric crisis increasingly are found in hospital emergency rooms and jails/prisons. These systems experience significant negative impacts as a result. Hospital emergency rooms are so overcrowded that some acutely ill patients wait days or even weeks for a psychiatric bed to open so they can be admitted; some eventually are released to the streets without treatment; and

WHEREAS, law enforcement agencies find service calls, transportation and hospital security for people in acute psychiatric crisis creating significant, growing demands on their officers, thus straining public safety resources. More pressure is put on police officers with some jails/prisons containing a third or more of inmates with untreated mental illness; and

WHEREAS, the number of persons with mental illness who are homeless has increased. In some communities, officials have reported as many as two-thirds of their homeless population is mentally ill; and

WHEREAS, multiple studies and the facts identified above conclude there is a pressing need for long-term, in-patient psychiatric care in Michigan; and

WHEREAS, the Legislature responded to this crisis by providing $115 million in state building authority financed construction for a new state psychiatric hospital, and decided that the facility would be built on the grounds of the current Caro Center in the FY 2016-17 and 2017-18 budgets. Then-Governor Snyder concurred, by signing Public Act 107 of 2017, in July of that year; and

WHEREAS, on December 19, 2017, the State Administrative Board approved a $5.4 million contract with Integrated Design Solutions, to design a new 200 bed, regional state psychiatric hospital (an increase from the current 150 beds at the Caro Center), on the site of the existing Caro Center, with an announcement by then State DHHS Director Nick Lyon "The State of Michigan made a commitment to the Caro community that the new psychiatric hospital would remain in the community, and we are keeping that promise;" and

WHEREAS, on October 19, 2018, then-Governor Snyder participated in a ground breaking for the new 225,000 square foot state psychiatric hospital at the site of the current Caro Center. The new hospital was scheduled to be completed in 2021 and would replace the aging Caro facility. Over $3 million in taxpayer funds have already been spent in preparation for construction at the Caro site; and

WHEREAS, on March 13, 2019, Governor Whitmer halted construction, and contracted with a private consulting firm, at the cost of $277,000, to re-assess the location of a new state psychiatric facility, potentially delaying the availability of new psychiatric beds and the replacement of the aging Caro facility by another 2-4 years; and
WHEREAS, the facility is a vital economic engine for this entire region of Michigan. A recent economic impact study determined that the operation infuses $54 million annually into the regional economy while directly employing 350 people and indirectly employing another 400 people, making it the second largest employer in Tuscola County; and

WHEREAS, relocation of the facility would have dramatic, devastating negative repercussions to businesses, schools, and families living in communities throughout this region of the state. The area economy is already struggling from the previous closure of State Prisons; and

WHEREAS, in addition to its critical regional economic importance, by objective measures as previously documented in choosing this location, building the new facility on the site of the current Caro Center is best for the individuals needing in-patient psychiatric care and for the taxpayers of Michigan; and

WHEREAS, at the current location there is a 100-year community tradition of caring. Seventy percent of employees travel less than 30 miles to work. The site is centrally located for family visits and patient transportation with 80% of patients coming from Genesee, Oakland, and Macomb Counties, just to the south of Tuscola County. The 600 acre site is already state-owned and infrastructure is already in place. County engineers determined the on-site water system can be economically upgraded to serve the new hospital. It is accessible to state highways and near area medical providers; and

WHEREAS, the difficulty in recruiting psychiatrists is not unique to Tuscola County and will be an issue that has to be dealt with no matter where a new facility is located.

THEREFORE, BE IT RESOLVED, the Kalkaska County Board of Commissioners does hereby urge Governor Gretchen Whitmer, Department of Health and Human Services Director Robert Gordon, and members of the State Legislature, in response to a critical shortage of in-patient state psychiatric beds, continue with the construction of a new 200-bed, state psychiatric hospital on the grounds of the current Caro Center, in Tuscola County, as the best option for quality, accessible services to patients and their families, and as the best value to the taxpayers of Michigan and prevent devastating negative repercussions to businesses, schools, and families living in communities throughout this region of the state; and

BE IT FURTHER RESOLVED that copies of this Resolution be transmitted to Governor Gretchen Whitmer, Department of Health and Human Services Director Robert Gordon, State Senator Curt VanderWall, State Representative Daire Rendon, Michigan Association of Counties, and all Michigan counties.

At a Regular Meeting of the Kalkaska County Board of Commissioners, held at the Kalkaska County Courthouse, 605 N Birch Street, Kalkaska, Michigan on 7-17-2019:

PRESENT: Commissioners Comai, Cox, Crambell, Fisher. Ngirarsaol, Sweet and West.

ABSENT: None

MOTIONED by Commissioner West; SUPPORTED by Commissioner Comai.

A ROLL CALL VOTE WAS TAKEN AS FOLLOWS;

2 of 3
YEAS: West; Comai; Cox; Crambell; Ngirarsaoi; Sweet; Fisher.

NAYS: None

RESOLUTION DECLARED ADOPTED.

Kohn Fisher, Chairman, Kalkaska County Board of Commissioners

Deborah Hill, Kalkaska County Clerk

STATE OF MICHIGAN  
COUNTY OF KALKASKA

I hereby certify that the forgoing is a true and complete copy of the Resolution 2019-35 adopted by the County Board of Commissioners of Kalkaska County at a Regular Meeting held on July 17, 2019, and I further certify that public notice of such meeting was given as provided by law.

Deborah Hill, Kalkaska County Clerk
TRIAL COURT FUNDING COMMISSION INTERIM REPORT

WHEREAS, the County Clerks in Michigan have a constitutional stake in the trial court funding question, but were excluded from participation in the Trial Court Funding Commission. The County Clerks have a unique relationship with the courts and a perspective that should be heard when making recommendations for substantial changes.

WHEREAS, the goal of Public Act 65 of 2017 was to create a Trial Court Funding Commission to “review and recommend changes to the trial court funding system in light of People v. Cunningham”.

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WHEREAS, we are concerned that transferring funding to state control would tether the judicial branch to the short term whims of the legislative and executive branches even more than they exist already. In the event of a lack of state funding (government shutdown) this process would also force the shutdown of the court system, resulting in constitutional violation of due process.

WHEREAS, it is critical to note that the finding of 46th Circuit Trial Court v. County of Crawford, 2006:143 states directly: “In order for the judicial branch to carry out its constitutional responsibilities as envisioned by the Constitution of 1963, art3, SS 2, the Judiciary cannot be totally beholden to legislative determinations regarding its budgets.”

WHEREAS, this Interim Report recommends altering the Michigan Constitution to provide that circuit court clerks are employed by the court and under the supervision of state government rather than the County Clerk.

WHEREAS, County Clerks serve a critical role in the judicial system. They are constitutionally mandated to ensure the integrity of the records and protecting the best interests of our citizens. Removing County Clerks from the picture would serve as substantial disruption to the purpose that we serve.

NOW, THEREFORE, BE IT RESOLVED, the Marquette County Board of Commissioners are opposed to the Trial Court Funding Commission Interim Report dated April 8, 2019. We believe that it is imperative to maintain local control and accountability because that is how our constituents are best served. We strongly oppose this Interim Report and possible pending legislation and encourage the other 82 Michigan counties to join us.

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to Governor Gretchen Whitmer, Senator Ed McBroom, Representative Sara Cambensy, the Michigan Association of Counties and the other 82 Michigan Counties.

[Signature]
Gerald O. Curkin, Chairperson
Marquette County Board of Commissioners

Proclaimed this 16th day of July, 2019
The Courts & Public Safety Committee met on Tuesday, August 6, 2019, it was recommended and I move:

CPS19/08 - 35  That effective October 1, 2019, the full time District Court Administrative Assistant position #N03501 be reclassified from full-time to hourly at pay table/grade NO-00165 $15.590/hour - $19.629/hour.

CPS19/08 - 36  That the vacant District Court Clerical Support Specialist position #D09001 be eliminated, effective immediately.

CPS19/08 – 37  To approve the creation of District Court Project/Training Manager position at pay table/grade NX-00195 $20.904/hr - $26.333/hr effective October 1, 2019.

CPS19/08 – 38  To approve the Prosecutor to apply the Crime Victim Rights Navigator Pilot Program FY 2020 grant.

CPS19/08 – 39  To approve the Prosecutor to apply for and accept the FY2020 VOCA Grant in the amount of $70,791.

CPS19/08 – 40  To approve the creation of an additional Sergeant position temporarily until September 30, 2019.

CPS19/08 – 41  To approve the request to apply for $153,325 from the Office of Community Corrections in Lansing for FY 2020.

CPS19/08 – 42  To approve the Muskegon County Sheriff’s Department to initiate the proposal process for cognitive behavioral services in the Muskegon County Jail and in the community and allow the Sheriff’s Department to enter into a contract with the most qualified vendor.

CPS19/08 – 43  To approve the Memorandum of Understanding between the City of Muskegon, City of Muskegon Heights and the County of Muskegon for the FY2019 Justice Assistance Grant Award Program and authorize the Board Chair to sign the memorandum.

CPS19/08 – 44  To allow the Sheriff’s Office to apply for the Off-Road Vehicle (ORV) and the Snowmobile grants from the Michigan Department of Natural Resources.
The Human Services Committee met on August 6, 2019, it was recommended and I move:

HS19/08 - 22 To approve the resolution of support for the 100-day Challenge sponsored by the United Way of the Lakeshore, Mercy Health Muskegon and the Muskegon Community Health Innovation Region to help achieve economic self-sufficiency in Muskegon County and to ensure that Muskegon County actively participates in this process.
The Ways & Means Committee met on August 1st, it was recommended and I move:

WM19/08 – 98 To approve payment of the accounts payable of $11,914,386.82, covering the period of July 12, 2019 through July 18, 2019 for checks and June 1, 2019 through June 30, 2019 for P-Card and EFT payments as presented by the County Clerk

WM19/08 – 99 To approve the FY2020 Budget Hearing Schedule as presented

WM19/08 – 100 To approve setting the Public Hearing Date for FY2020 Proposed Muskegon County Budget for Thursday, September 5, 2019 at 3:30 p.m. at the Board of Commissioners Room on the 4th Floor of the Michael E. Kobza Hall of Justice and authorize the publication of a Notice of Publication in a newspaper of general circulation on or before August 25, 2019

WM19/08 – 101 To authorize County Clerk to make the following position changes: 1) Reclassify Interim Elections Coordinator position, N40601, to a full time, overtime exempt Elections Coordinator position at pay/table grade NX00290, $25.888/hr - $32.67/hr. upon completion of the November 2019 election; 2) When the Chief County Clerk Deputy position, X12701, is filled, eliminate the Circuit Court Coordinator position, G19801.
REQUEST FOR BOARD CONSIDERATION-COUNTY OF MUSKEGON

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<th>COMMITTEE</th>
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<td>Administration</td>
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<td>Mark Eisenbarth</td>
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SUMMARY OF REQUEST (GENERAL DESCRIPTION, FINANCING, OTHER OPERATIONAL IMPACT, POSSIBLE ALTERNATIVES)

Staff are requesting the approval of the installation of a video recording system in the Board of Commissioners Room to video record all committees of the whole including Ways & Means Committee, Transportation Committee, Human Services Committee, Community Development & Strategic Planning Committee, Public Works Board, as well as Full Board of the Muskegon County Board of Commissioners until further notice. The County Information Technology Department will arrange for all set up of equipment, maintenance of all equipment, recording of the appropriate meetings, sharing on social media and archives of such video.

SUGGESTED MOTION (STATE EXACTLY AS IT SHOULD APPEAR IN THE MINUTES)

Move to authorize the County Information Technology Department to install video recording equipment in the Board of Commissioners Room and record all Committee meetings and Full Board meetings until further notice.

ADMINISTRATIVE ANALYSIS (AS APPLICABLE)

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<th>HUMAN RESOURCES ANALYSIS:</th>
<th>FINANCE &amp; MANAGEMENT ANALYSIS:</th>
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<th>CORPORATE COUNSEL ANALYSIS:</th>
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If motion originates from a Statutory Board, Authority or Advisory Committee, please provide the date the motion was approved by that Board/Authority/Committee. Date: 8/13/19

AGENDA DATE: 8/13/19  AGENDA NO.: BOARD DATE: 8/13/19  PAGE NO.

Revised 8/9/19